



district court need not conduct *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Based on his review of the record, the Magistrate Judge has recommended that the petition be dismissed without prejudice because Petitioner has failed to exhaust his state court remedies. The Magistrate Judge advised Petitioner of his right to file objections to the Report and Recommendation and the serious consequences if no objections were filed. Petitioner has filed no objections and the time for doing so has expired.

After reviewing the Petition, the motion, the response, the record, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is

**ORDERED** that the Petition is **DISMISSED** *without prejudice* for Petitioner’s failure to exhaust state court remedies.

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
November 13, 2006